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DATE: December 7, 2004

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Richard C. Fufts, Examiner U.S. Patent and Trademark Office Group Art Unit 3628	703-872-9306	703-305-5416

FROM: Daniel R. Pote

PHONE: 602-382-6325

RE: Our Docket No. 36207.0100

U.S. Patent Application Serial No. 09/698,640

MESSAGE:

Transmitted herewith is a the Response and Amendment to Office Action in response to the Final Office Action of June 7, 2004 for the captioned matter. Thank you.

Sincerely, Daniel R. Pote, Reg. No. 43,011

ORIGINAL DOCUMENT: Will not be sent

NUMBER OF PAGES (Including Cover):

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Date: 12-2-04 By: Stan Mebs
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**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

PATENT

Applicant(s):	Marks	Atty. Docket No.:	36207.0100
Serial No.:	09/698,640	Examiner:	Fults, Richard C.
Filed:	October 27, 2000	Group Art Unit:	3628
Title:	METHODS AND APPARATUS FOR ONLINE AUCTIONS AND MARKET-PLACES UTILIZING PROGRAM TERMS	Confirmation No.:	4914

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Attached herewith is a Response to the Final Office Action mailed June 6, 2004 and Notice of Appeal in the captioned matter.

- I. Attached:**
- ☒ [X] Response to Final Office Action
 - ☒ [X] Notice of Appeal
 - ☒ [X] Acknowledgment Postcard

II. Small Entity Status

- ☒ [X] Small entity status under 37 C.F.R. §§1.9 and 1.27 is claimed.

FEE CALCULATION, CLAIMS AS AMENDED

	Claims remaining after amendment	Highest number previously paid for	Present Extra			
Total Effective Claims	5	20	= 0	x	\$ 18.00 =	0.00
Independent Claims	1	1	= 0	x	\$ 86.00 =	\$0.00
If amendment enters proper multiple dependent claim(s) into this application for first time (per application)					\$280.00 +	N/A
					Subtotal:	0.00

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